

{PRIVATE }CITY OF SAN JOSÉ, CALIFORNIA{PRIVATE }
Department of Planning, Building and Code Enforcement
801 North First Street, Room 400
San José, California 95110-1795

Hearing Date/Agenda Number
H.L.C. 9/04/02 Item 5.b.

File Number
MA02-002

Application Type
Historic Property Contract

Council District
6 SNI
None

Planning Area
Central

Assessor's Parcel Number(s)
261-18-026

STAFF REPORT

PROJECT DESCRIPTION

Completed by: Sally Notthoff Zarnowitz

Location: Southwest corner of The Alameda and Randol Avenue

Gross Acreage: 0.34 Net Acreage: 0.34 Net Density: n/a

Existing Zoning: A(PD) Planned
Development Existing Use: Single Family Detached Residential

Proposed Zoning: No change Proposed Use: No change

GENERAL PLAN

Completed by: SNZ

Land Use/Transportation Diagram Designation: CORE

Project Conformance:
☒ Yes ☐ No
☒ See Analysis and Recommendations

SURROUNDING LAND USES AND ZONING

Completed by: SNZ

North: Commercial A(PD) Planned Development

East : Commercial A(PD) Planned Development

South: Residential A(PD) Planned Development

West: Commercial A(PD) Planned Development

ENVIRONMENTAL STATUS

Completed by: SNZ

☐ Environmental Impact Report found complete
☐ Negative Declaration circulated on
☐ Negative Declaration adopted on

☒ Exempt
☐ Environmental Review Incomplete

FILE HISTORY

Completed by: SNZ

Annexation Title:

Date: 12/8/1925

PLANNING DEPARTMENT RECOMMENDATIONS AND ACTION

☐ Approval
☐ Approval with Conditions
☐ Denial
☐ Uphold Director's Decision

Date _____

Approved by: _____
☐ Action
☒ Recommendation

APPLICANTS/OWNERS

Jim Blair, General Partner
Eaglecreek Associates II
1285 Oakmead Parkway
Sunnyvale CA 94085

{PRIVATE }PUBLIC AGENCY COMMENTS RECEIVED

Completed by: SNZ

Department of Public Works

None

Other Departments and Agencies

See attached Historic Report

GENERAL CORRESPONDENCE

None

ANALYSIS AND RECOMMENDATIONS

BACKGROUND

The applicant, Eaglecreek Associates II is requesting a Historic Property Contract to allow property tax relief to rehabilitate and maintain the Historic Landmark, The Charles O. Bocks Residence (HL01-141), located on the southwest corner of The Alameda and Randol Avenue. The site is zoned A(PD) Planned Development and is designated Office on the adopted San Jose 2020 Land Use and Transportation Diagram.

The residence at 1645 The Alameda was built c. 1925 in the Spanish Eclectic style. The structure is significant for its association with the evolution of The Alameda, a major urban thoroughfare, during the first half of the 20th century. It is also significant for its association with Charles O. Bocks, a pioneer agriculturist in the Santa Clara Valley. The structure is currently designated as a “contributing building” to the Alameda Planned Development zoning district.

ENVIRONMENTAL REVIEW

Under the provisions of Section 15331 of the State Guidelines for Implementation of the California Environmental Quality Act (CEQA), this project is found to be exempt from environmental review in that the project is limited to the rehabilitation of a historical resource in a manner consistent with the Secretary of the Interior’s Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings (1995), Weeks and Grimmer.

GENERAL PLAN CONFORMANCE

The proposed Historic Property Contract conforms to the San Jose 2020 General Plan Land Use/Transportation Diagram designation of Office. Under the Discretionary Alternate Use Policy, Structures of Historical or Architectural Merit are allowed land uses other than those designated on the Land Use/Transportation Diagram in order to preserve the structure.

ANALYSIS

1. Required Provisions of Historic Property Contracts

Municipal Code Chapter 13.48 requires provisions of Historic Property Contracts as follows

- A. A description of the Landmark Property subject to the Contract;
- B. A provision that the term of the Contract is a minimum period of ten years;
- C. Specific conditions requiring preservation of the Landmark Property and, where appropriate, restoration and rehabilitation of the Landmark Property to conform to the requirements of the City, and the rules and regulations of the Office of Historic Preservation of the State of California Department of Parks and Recreation;
- D. Provision for the periodic examination of the interior and exterior of the Landmark Property by the City of San Jose, Santa Clara County Assessor, and the State Board of Equalization as may be necessary to determine the owner's compliance with the Contract.
- E. A requirement that the property owner annually expend an amount equal to a minimum of 10% of the tax savings attributed to the Contract to the preservation and maintenance of the Landmark Property; and
- F. A provision that the Contract is binding upon and shall inure to the benefit of, all successors in interest of the owners; and that a successor in interest shall have the same rights and obligations under the Contract as the original owners who entered into the Contract.

In Addition to the Municipal Code provisions above State legislation requires the City Clerk to record a Historic Property Contract with the County Recorder by December 31 of any calendar year in order to be effective during the following calendar year.

2. Required Findings of Historic Property Contracts

In accordance with Municipal Code Chapter 13.48, the City Council may approve a Historic Property Contract only if the following findings are made:

- A. The proposed Contract is consistent with the General Plan;
- B. The proposed Contract would provide greater protection for the Landmark Property than is otherwise provided by the provisions of Municipal Code Chapter 13.48; and
- C. The proposed Contract complies with the required provisions of Historic Property Contracts listed above.

RECOMMENDATION

Planning staff recommends that the Historic Landmarks Commission recommend the City Council make the following findings:

- A. The proposed Contract is consistent with the General Plan Land Use designation of Office because (1) the proposed office use is consistent with the Land Use/Transportation Diagram Designation of Office, and (2) the proposal encourages the continuation and appropriate expansion of Federal and State programs which provide tax and other incentives for the rehabilitation of historically or architecturally significant structures.
- B. The proposed Contract provides greater protection for the Landmark Property than is otherwise provided by the provisions of Municipal Code Chapter 13.48 because the owner, in partnership with the City, may use property tax relief to rehabilitate and maintain the property in accordance with the preservation plan, Exhibit "C".
- C. The proposed Contract complies with the required provisions of Historic Property Contracts listed above.

Attachments

- Draft Contract
- Dept. of Parks and Recreation Form
- Photo
- Site Plan

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